



EXPRESS MAIL NO.: ER 841 994 935 US
 Attorney Docket No.: 8932-815-999 (old)
 060960-5009 US (NEW)
 PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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|-----------------------------------|---|--------------------------|
| In re Application of: |) | |
| Douglas Vaughen et al. |) | Confirmation No.: 8199 |
| |) | |
| Application No.: 10/749,345 |) | Group Art Unit: 3731 |
| |) | |
| Filed: December 30, 2003 |) | Examiner: to be assigned |
| |) | |
| For: RESORBABLE SURGICAL FIXATION |) | |
| DEVICE |) | |

MAIL STOP AMENDMENT
 Commissioner for Patents
 P.O. Box 1450
 Alexandria, VA 22313-1450

INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.97(b)

SIR:

Pursuant to 37 C.F.R. 1.56 and 1.97(b), Applicants bring to the attention of the Examiner the documents listed on the attached PTO Form 1449. Applicants respectfully request that the Examiner consider the listed document and evidence that consideration by making appropriate notations on the attached PTO Form 1449.

This Information Disclosure Statement is filed under 37 C.F.R. 1.97(b) before the mailing of a first office action on the merits. Accordingly, no fee is believed to be due. Should a fee be required, please charge any such a fee to Morgan, Lewis & Bockius LLP Deposit Account No. 50-0310. A duplicate copy of this sheet is enclosed for such purpose if required.

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that each of the listed documents are material or constitute "Prior Art." If it should be determined that the listed documents do not constitute "Prior Art"

under United States law, Applicants reserve the right to present to the Office the relevant facts and law regarding the appropriate status of such documents.

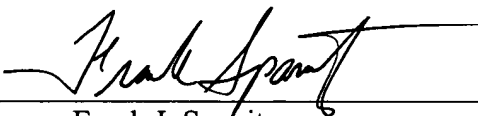
Applicants further reserve the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should the documents be applied against the claims of the present application.

Respectfully submitted,

MORGAN, LEWIS & BOCKIUS LLP

Dated: February 17, 2005

By:


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INFORMATION DISCLOSURE CITATION

(Use several sheets if necessary)

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PTO Form 1449

Attorney Docket No.

060960-5009-US

Serial No.

10/749,345

Applicants

Douglas VAUGHEN et al.

Filing Date

December 30, 2003

Group

3731**U.S. PATENT DOCUMENTS**

| *Examiner Initial | Document Number | Date | Name | Class | Sub Class | Filing Date |
|-------------------|-----------------|------------|-----------------|-------|-----------|-------------|
| | 6,364,881 | 04/02/2002 | Apgar et al. | 606 | 69 | |
| | 6,093,188 | 07/25/2000 | Murray. | 606 | 69 | |
| | 6,071,291 | 06/06/2000 | Forst et al. | 606 | 151 | |
| | 5,984,925 | 11/16/1999 | Apgar | 606 | 69 | |
| | 5,980,540 | 11/09/1999 | Bruce | 606 | 151 | |
| | 5,814,048 | 09/29/1998 | Morgan | 606 | 69 | |
| | 5,766,176 | 06/16/1998 | Duncan | 606 | 69 | |
| | 5,752,958 | 05/19/1998 | Wellisz | 606 | 69 | |
| | 5,743,913 | 04/28/1998 | Wellisz | 606 | 69 | |
| | 5,468,242 | 11/21/1995 | Reisberg | 606 | 69 | |
| | 5,346,492 | 09/13/1994 | Morgan | 606 | 60 | |
| | 5,222,987 | 06/29/1993 | Jones | 623 | 66 | |
| | 5,139,497 | 08/18/1992 | Tilghman et al. | 606 | 69 | |

FOREIGN PATENT DOCUMENTS

| Document Number | Date | Country | Class | Sub Class | Translation | |
|-----------------|------------|-------------------|-------|-----------|-------------|----|
| | | | | | YES | NO |
| WO 02/26106 | 04/04/2002 | International PCT | A61B | | | |
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OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

| | |
|--|---|
| | Synthes Maxillofacial, Resorbable Fixation System Implants, undated, 4 pages |
| | Synthes Maxillofacial, 1.3 mm and 1.5 mm Titanium Contourable Mesh Plates, 1999, 4 pages |
| | Leibinger, Titanium Dynamic Mesh for defect-bridging reconstruction of non-loading bearing bony structures, 1994, 2 pages |

| | |
|--|-----------------|
| Examiner | Date Considered |
| Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. | |